



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,933	12/09/2003	John Anthony Mayzel		2390

42812 7590 05/22/2007
J. GORDON THOMSON
P.O. BOX 8865
VICTORIA, BC V8V 3Z1
CANADA

EXAMINER

MORGAN JR, JACK HOSMER

ART UNIT	PAPER NUMBER
----------	--------------

3782

MAIL DATE	DELIVERY MODE
-----------	---------------

05/22/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	10/729,933	MAYZEL, JOHN ANTHONY	
	Examiner	Art Unit	
	Jack H. Morgan	3782	

All participants (applicant, applicant's representative, PTO personnel):

(1) Jack H. Morgan. (3) _____

(2) Gordon Thompson. (4) _____

Date of Interview: 15 May 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____

Claim(s) discussed: Possible after final amendment to claims 1 and 16.

Identification of prior art discussed: None.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


 NATHAN J. NEWHOUSE
 SUPERVISORY PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

 Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representative inquired about possible claim amendments to make the case allowable. The attached amendments were faxed to Examiner, who believes that Claim 1 as amended does not raise a new issue, being the addition of previously examined Claim 2 to the independent claim. However Claim 16, specifically the addition of "having a flat outer surface for placement against said inside surface of the belt and a concave surface adapted for comfortable placement against said waist of said wearer" does raise a new issue requiring further search and/or consideration. In a telephone conversation with Applicant's representative, Applicant's representative inquired to the correctness of adding the limitations of Claim 18 to the independent Claim 16. As Claim 18 was in the last office action indicated allowable, Examiner feels the insertion of Claim 18 into Claim 16 would not raise a new issue.


NATHAN J. NEWHOUSE
SUPERVISORY PATENT EXAMINER

J. Gordon Thomson**Law Corporation****Lawyer, Registered Patent & Trade-mark Agent*****Practice Restricted To Intellectual Property Law and Related Matters*****P.O. Box 8865, Victoria, B.C., Canada, V8W 3Z1****Phone: 250 418 3250****Fax: 250 418 3251****E-mail: gordonthomson@shaw.ca**

Tuesday, May 15, 2007

By Facsimile Only

571 273 3385

11 Pages

Commissioner for Patents

United States Patent and Trademark Office

P.O. Box 1450

Alexandria, Virginia,

USA 22313-1450

Attention: Examiner Jack Hosmer Morgan, Jr.

Dear Mr. Morgan:

Re: Patent Application: 10/729,933**Title: Belt Mounted ID/Credit Card Anti-theft Device****Applicant: John Anthony Mayzel****Filed: 12/09/2003****Examiner/GAU: Morgan Jr., Jack Hosmer; 3782**

Thank you for agreeing to review these claims which I wish to submit in response to a final action in order to put the application in a condition for allowance.

I have amended claim #1 by inserting the subject matter of claim #2 as well as additional material disclosed in the specification, namely, the convex-concave shape of the first rectangular body adapted for fitting behind the belt against a wearer's waist. I believe that this material distinguishes claim 1 over Kawamura and renders it inventive over Kawamura with Florjancic.

I have similarly amended claim #16 to distinguish it inventively over Florjancic and Haskell. If claim #16 is acceptable then claim #17 should also be acceptable.

I do appreciate your time on this matter. This inventor is a small client with limited

resources.

Please call me if you wish to discuss this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Gord Thomson". The signature is fluid and cursive, with the first name "Gord" and last name "Thomson" clearly distinguishable.

Gord Thomson
Agent for the Applicant
55,922

Enclosure: Revised draft claims 9 pages

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

1. (Currently Amended) An ID/credit card anti-theft device for mounting to a belt having an inside surface and an outside surface, said anti-theft device adapted for placement between said belt inside surface and a waist of a wearer and for securely holding an at least one card, said at least one card having an upper surface and a bottom surface, wherein said ID/credit card anti-theft device comprises a first rectangular body comprising a chamber for receiving and securely holding the at least one card, a second elongate body comprising means for demountably mounting said first rectangular body to said ~~the~~ belt and means for sealing the at least one card within said chamber in a locked configuration; and, a biasing element positioned within said chamber, said biasing element adapted for exerting a securing biasing force against said bottom surface of the at least one card contained within the chamber, and wherein the first rectangular body comprises a top portion and a bottom portion joined to said top portion, wherein the joined top portion and bottom portion create the chamber within the rectangular body and wherein: a. said bottom portion comprises a planer upper surface and a concave lower surface and, wherein said planer upper surface forms the chamber floor and said concave lower surface is adapted for comfortable placement against said waist of said wearer; and, b. said top portion comprises a planer lower surface and a convex upper surface and, wherein said planer lower surface forms the chamber ceiling and wherein said convex upper surface is adapted for placement against the inside surface of the belt thereby rendering the anti-theft device invisible.

2. (Cancelled).

DRAFT

3. (Currently Amended). The device as claimed in claim 2 1, wherein the chamber further includes a first closed side, a second closed side, a first closed end and a second slotted end lockably closeable by said second elongate body, and further wherein, the chamber is adapted to receive an at least one card via said second slotted end in order to hold the at least one card securely.
4. (Original). The device as claimed in claim 3 wherein: a. the top portion includes a first centrally positioned oblong cutout adapted to permit sliding thumb contact with said upper surface of the at least one card held in the chamber; and, b. the lower portion includes a second centrally positioned oblong cutout adapted to permit sliding thumb contact with said lower surface of the at least one card held in the chamber, and further wherein, said first centrally positioned oblong cutout and said second centrally positioned oblong cut out are identical in shape and opposed across the chamber.
5. (Cancelled).
6. (Previously presented). The device as claimed in claim 4, wherein said biasing element comprises a resilient rectangular biasing member: a. having a base fixed cohesively to the floor of the chamber; b. projecting with acclivity; and, c. having a free second end, said free second end having an oblate portion, wherein said oblate portion is adjacent to the first centrally positioned oblong cutout.
7. (Previously presented). The device as claimed in claim 6, wherein the slotted second end further includes a T-slot interposed transversely across the second open end, wherein said T-slot has a first open end and a second closed end, and wherein said second closed end includes a locking orifice.
8. (Original). The device as claimed in claim 7, wherein the second elongate body is adapted for securely sealing the second slotted end of the first rectangular body, and wherein the second elongate body further comprises a cohesively attached

and depending resilient locking member, said locking member having a fixed end fixed to the second elongate body and a free end, and wherein the locking member is adapted for sliding engagement within the T-slot so that when the locking member is fully engaged within the T-slot, the second elongate body seals the entirety of the second slotted end.

9. (Original). The device as claimed in claim 8, wherein the locking member includes a locking stud, said locking stud fixed to the free end of the locking member so that, when the locking member is fully engaged within the T-slot, said locking stud is lockingly engaged within said locking orifice.
10. (Previously presented). The device as claimed in claim 1, wherein said means for demountably mounting the first rectangular body to the belt comprises a rigid looping member fixed cohesively to the elongate second body, said looping member positioned on the second elongate body so as to create a slot between the second elongate body and the looping member, said slot adapted to receive a belt, and further wherein the looping member has a first end fixed in a pivoting relationship to the second elongate body and a second free end, said second free end adapted for lockable engagement with a raised part on the second elongate body.
11. (Cancelled)
12. (Previously presented). The device as claimed in claim 10, wherein said looping member second free end includes a triangular shaped orifice, and wherein said raised part on the second elongate body includes a triangular shaped head and, wherein the triangular shaped orifice and the triangular shaped head are adapted for locking and releaseable engagement thereby locking the looping member second free end to the second elongate body.

13. (Original). The device as claimed in claim 10, wherein the looping member comprises: a. a first section having a first end fixed to the second elongate body and a second free end having a first groove therein; b. a second section having a first end fixed to the second elongate body and a second free end having a second groove therein, wherein the first section free end and the second section free end are opposed to each other across a gap; c. a third section having a first end and a first tongue, said first tongue adapted for engagement said first groove; a second end and a second tongue, said second tongue adapted for engagement with said second groove and, wherein the third section is lockably removeable from said gap by locking means.
14. (Currently Amended). The device as claimed in claim 10 1, wherein means for demountably mounting the rectangular body to the belt includes a resilient finger having a first end fixed to the top portion of the rectangular first body, and a second free end.
15. (Original). The device as claimed in claim 14, wherein said finger first fixed end is cohesively fixed by way of an elevating shim to the upper convex surface of the top portion of the first rectangular body so that there is created a gap between the finger and the upper convex surface, said gap adapted to receive a belt in a snug fitting relationship.
16. (Currently Amended). ~~An ID/credit card anti-theft device for mounting to a belt,~~
An ID/credit card anti-theft device for mounting to a belt having an inside surface and an outside surface, said anti-theft device adapted for placement between said belt inside surface and a waist of a wearer and for securely holding an at least one card, said at least one card having a top surface and a bottom surface, said device comprising: a. a first rectangular body having a flat outer surface for placement against said inside surface of the belt and a concave inner surface adapted for comfortable placement against said waist of said wearer, said first rectangular body adapted to secure said at least one card, the first rectangular body

comprising: i. a first front chamber disposed adjacent the inside surface of the belt and adapted to receive an at least one card; ii. a second rear chamber disposed adjacent the waist of the wearer and adapted to receive an at least one card; and, iii. a dividing member for dividing said first front chamber from said second rear chamber; and, b. a second elongate body adapted for locking engagement with the first rectangular body, said second elongate body comprising a looping member creating a slot, said slot adapted for receiving a the belt in a looping relationship so that thereby fixing the first rectangular body is placed invisibly between the inside surface of the belt and the waist of the wearer and secured by locking engagement with said second elongate body-said belt, wherein said first front chamber and said second rear chamber are each adapted to receive and securely contain an at least one card.

17. (Previously presented). The device as claimed in claim 16, wherein said first front chamber includes: a. a floor, b. a top wall having an upper surface and an inside surface; c. a bottom wall having an upper surface and an inside surface; d. a front wall having an inside surface adapted to act as an at least one card abutment; and, e. an open back end whereby the first front chamber accepts an at least one card in a sliding engagement, and wherein, said top wall inside surface, said bottom wall inside surface, said front wall inside surface and said open back end generally define the card dimensions so that when the at least one card is inserted into the first front chamber the at least one card is secured within the first rectangular body; so that when the at least one card is enclosed within the front chamber the top wall inside surface and the bottom wall inside surface are in frictional sliding engagement with the at least one card to restrain it within the first front chamber.

18. (Original). The device as claimed in claim 17 further comprising: a. a top wall mounted restraining member having an upper surface and a lower surface wherein, the top wall upper surface and said top wall mounted restraining member upper surface are flush and contiguous and wherein, the top wall mounted

restraining member extends into the first front chamber between the open back end and the front end and wherein, length of the top wall mounted restraining member is equal to the length of the at least one card; b. a bottom wall mounted restraining member having an upper surface and a lower surface wherein, the bottom wall upper surface and said bottom wall mounted restraining member upper surface are flush and contiguous, and wherein, the bottom wall mounted restraining member extends into the first front chamber between the open back end and the front end and wherein, length of the bottom wall mounted restraining member is equal to the length of the at least one card, and; c. at least two spaced apart parallel linear embossments in a spaced relationship parallel to the top wall and the bottom wall, said at least two spaced apart parallel linear embossments commencing proximate to the open back end and terminating proximate to the front wall, and wherein the at least two spaced apart parallel linear embossments are adapted to raise the at least one card bottom surface above the floor of the first front chamber.

19. (Original). The device as claimed in claim 18, wherein the at least two spaced apart parallel linear embossments and the respective lower surfaces of the top and bottom wall mounted restraining members act cooperatively on the at least one card inserted into the first front chamber so that once the at least one card is inserted into the first front chamber, the respective lower surfaces and of the top and bottom wall mounted restraining members are in sliding frictional engagement with the top surface of the at least one card and the at least two spaced apart linear embossments and are in sliding frictional contact with the lower surface of the at least one card, thereby creating flexure in the at least one card and resulting in biasing forces between the at least one card and the respective lower surfaces of the top and bottom wall mounted restraining members, resulting in the at least one card securely held within the first front chamber.

DRAFT

20. (Original). The device as claimed in claim 19, wherein said second rear chamber comprises: a. a floor; b. a second top wall having an upper surface and an inside surface; c. a second bottom wall having an upper surface and an inside surface d. a second front wall adapted to act as a card abutment; and, e. a second open back end whereby the second chamber is adapted to accept at least one card in a sliding engagement wherein, said second top wall inside surface, said second bottom wall inside surface, said second front wall and said second open back end generally define dimensions of the at least one card, and further wherein, the second top wall inside surface and the second bottom wall inside surface are in frictional sliding engagement with the at least one card.

21. (Original). The device as claimed in claim 20, wherein the second chamber further includes: a. a second top wall mounted restraining member having an upper surface and a lower surface wherein, the second top wall upper surface and the second top wall mounted restraining member upper surface are flush and contiguous, and wherein the second top wall mounted restraining member extends into second chamber between the open back end and the front end, and wherein the length of the second top wall mounted restraining member is equal to the length of the second at least one card; b. a second bottom wall mounted restraining member having an upper surface and a lower surface, wherein the second bottom wall upper surface and the second bottom wall mounted restraining member upper surface are flush and contiguous and the second bottom wall mounted restraining member extends into said second chamber between the second open back end and the second front end, and wherein, the length of the second bottom wall mounted restraining member is at least equal to the length of the at least one card, wherein, the second top wall mounted restraining member and the second bottom wall restraining member are parallel and are in positional agreement opposite each other across the first receptacle; and, c. a biasing element rising from the middle of the second floor, said biasing element adapted to exert a bias on the bottom surface of the at least one card inserted into the second chamber.

22. (Original). The device as claimed in claim 21, wherein said biasing element comprises a resilient rectangular biasing member having a base fixed cohesively to the floor of the chamber, and wherein said biasing member projects with an acclivity from said base, and wherein the biasing member includes a free second end, said free second end having an oblate portion adapted for sliding contact with the bottom surface of the at least one card.

23. (Original). The device as claimed in claim 22, wherein the biasing element acts cooperatively with the respective lower surfaces and of the second top and second bottom wall mounted restraining members and on the at least one card inserted into the second chamber, so that the respective lower surfaces and of the second top and bottom wall mounted restraining members and are in sliding frictional engagement with the upper surface of the at least one card, and so that the top oblate surface of the biasing element is in sliding frictional contact with the lower surface of the at least one card thereby creating flexure in the at least one card and resulting in biasing forces between the at least one card and the respective second lower surfaces of the top and bottom wall mounted restraining members that serve to maintain the at least one card securely within the second receptacle.

24. (Cancelled).

25. (Currently Amended). The device as claimed in claim ~~24~~ 23, wherein the device further includes a releasable coupling, said coupling comprising a first resilient member mounted to the first rectangular body and a second slot in the elongate body adapted for receiving the first resilient member in a sliding and locking engagement by locking means.

26. (Original). The device as claimed in claim 25 wherein the device further includes a finger having a first free end and a second end cohesively fixed to the top portion of the rectangular first body by way of an elevating shim so that a gap

is created between said finger and the first rectangular body, said gap adapted to receive a belt in a securing relationship.

DRAFT